Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Document Page 1 of 6

L.B.F. 3015.1

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: Luis Malpica	Case No.: 20-14340
	Chapter 13 Debtor(s)
	Chapter 13 Plan
Original	
Amended	
Date: September 13	<u>, 2021</u>
	THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13 OF THE BANKRUPTCY CODE
	YOUR RIGHTS WILL BE AFFECTED
hearing on the Plan pro carefully and discuss the	ved from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation oposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers hem with your attorney. ANYONE WHO WISHES TO OPPOSE ANY PROVISION OF THIS PLAN MUST FILE A TION in accordance with Bankruptcy Rule 3015 and Local Rule 3015-4. This Plan may be confirmed and become binding, ction is filed.
	IN ORDER TO RECEIVE A DISTRIBUTION UNDER THE PLAN, YOU MUST FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE NOTICE OF MEETING OF CREDITORS.
Part 1: Bankruptcy Ru	ule 3015.1(c) Disclosures
	Plan contains non-standard or additional provisions – see Part 9
✓	Plan limits the amount of secured claim(s) based on value of collateral – see Part 4
	Plan avoids a security interest or lien – see Part 4 and/or Part 9
Part 2: Plan Payment,	Length and Distribution – PARTS 2(c) & 2(e) MUST BE COMPLETED IN EVERY CASE
§ 2(a) Plan paym	nents (For Initial and Amended Plans):
Total Lengt	th of Plan: <u>60</u> months.
Debtor shall	Amount to be paid to the Chapter 13 Trustee ("Trustee") \$_ pay the Trustee \$_ per month for months; and then pay the Trustee \$_ per month for the remaining months.
	OR
	have already paid the Trustee \$ 6,126.40 through month number 10 and then shall pay the Trustee \$ 1,249.00 per e remaining 50 months.
Other changes	s in the scheduled plan payment are set forth in § 2(d)
§ 2(b) Debtor sha when funds are availab	all make plan payments to the Trustee from the following sources in addition to future wages (Describe source, amount and date ole, if known):

§ 2(c) Alternative treatment of secured claims:

Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Page 2 of 6 Document

Debtor	Luis Malpica			Case number	20-14340	
√	None. If "None" is checke	d, the rest of § 2(c) need	not be completed.			
Se	Sale of real property se § 7(c) below for detailed of	description				
Se	Loan modification with ree § 4(f) below for detailed of		umbering property:			
§ 2(d)	Other information that ma	ny be important relating	g to the payment and le	ength of Plan:		
§ 2(e) I	Estimated Distribution					
A	A. Total Priority Claims	(Part 3)				
	1. Unpaid attorney's f	fees	\$		2,500.00	
	2. Unpaid attorney's	cost	\$		0.00	
	3. Other priority claim	ns (e.g., priority taxes)	\$		0.00	
В	3. Total distribution to c	ure defaults (§ 4(b))	\$		35,716.11	
C	C. Total distribution on s	secured claims (§§ 4(c) &	(d)) \$		5,293.09	
D	D. Total distribution on §	general unsecured claims	(Part 5) \$		18,208.40	
		Subtotal	\$		61,717.60	
E	E. Estimated Trustee's C	Commission	\$		6,857.60	
F	Base Amount		\$		68,575.20	
§2 (f) A	Allowance of Compensation	n Pursuant to L.B.R. 20	016-3(a)(2)			
of the plan : Part 3: Prio	ccurate, qualifies counsel to on in the total amount of \$ shall constitute allowance rity Claims	o receive compensation Mathematical Section 2 in the Trustee of the requested compe	pursuant to L.B.R. 20 distributing to counsel nsation.	116-3(a)(2), and r the amount stat	nsel's Disclosure of Compen requests this Court approve ed in §2(e)A.1. of the Plan.	counsel's Confirmation
Creditor		Claim Number	Type of Priority	Amo	ount to be Paid by Trustee	
Joseph T.	. Bambrick Jr.		Attorney Fee			\$ 2,500.00
§ :	3(b) Domestic Support obl	igations assigned or ow	ed to a governmental t	unit and paid les	s than full amount.	
¥	None. If "None" is o	checked, the rest of § 3(b) need not be completed	l or reproduced.		
Dout 4. C	and Claims					
	ured Claims	A. N. D. C. S.	Company of the Compan			
8.7	4(a)) Secured Claims Reco	eiving Na Dictribution f	rom the Tructee:			

Pa

- § 4(a)) Secured Claims Receiving No Distribution from the Trustee:
- **√** None. If "None" is checked, the rest of \S 4(a) need not be completed or reproduced.
- § 4(b) Curing default and maintaining payments

Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Document Page 3 of 6

The Trustee shall demonthly obligations falling described by the Creditor The Bank of New York Merk A § 4(c) Allowed Sector validity of the claim None. If a (1) Allowed (2) If necessary validity of the allowed (3) Any and of the Plan or (B) (4) In additional department of the Plan of Claim (5) Upon corresponding lier Name of Creditor Claim Pennsylvania Department of	"None" is che distribute an an andue after the base le la la lue after the base le la lue after la	im Number 15 15 16 17 18 18 18 19 19 19 19 19 19 19	Description and Add 3400 Hill 19605 E ased on proof of claims will be paid in full and the diversary proceeding, will make its determinate determined by the coursed claim, "present with the claim and included its provided for "present with the claim and included its present with the claim and included its	prepetition arrearageties' contract. ion of Secured Progress, if real proper littop Ave Reading Berks County am or pre-confirmated. eted. as appropriate, will ation prior to the confirmated either: (Aurt. value" interest pursue a different interest int value" interest, in the value interest, in the confirmated interest, in the value interest.	g, PA ation determination of ntil completion of paym be filed to determine th	\$35,716.11 The amount, extent the amount, extent or the amount, extent or the claim under Part 5 (a) (5) (B) (ii) will esent value" interest in objection to the claim under to be the control of the c
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be paid at the rate in its proof of clain confirmation. (5) Upon c corresponding lier Name of Creditor Claim Pennsylvania Department of	and in the am or otherwise completion of n.	nount listed below. If see disputes the amount the Plan, payments market Description of	the claimant included it provided for "prese nade under this section Allowed Secured	a different interest nt value" interest, t n satisfy the allowe Present Value	trate or amount for "proteine claimant must file and discoursed claim and rele	esent value" interest n objection to ease the Amount to be
Claim Pennsylvania Department of	n.	Description of	Allowed Secured	Present Value	Dollar Amount of	Amount to be
Pennsylvania Department of	Number					
Department of				22202 050 22000	Interest	Paid by Trustee
•		Taxes	\$5,293.09	0.00%	\$0.00	\$5,293.09
§ 4(d) Allowed	l secured clai	ims to be paid in full	that are excluded fr	rom 11 U.S.C. § 50	6	
None. If	"None" is che	ecked, the rest of § 4(a	d) need not be comple	eted.		
§ 4(e) Surrender						
(1) Debto	or elects to sur	rrender the secured pr	e) need not be comple operty listed below the 52(a) and 1301(a) with	nat secures the cred	itor's claim. ired property terminates	s upon confirmation
of the Pla	an.		the creditors listed bel			
Creditor		Claim N	umber	ecured Property		
Ally Financial		8151		011 GMC Acadia	175,000 miles	

Part 5:General Unsecured Claims

$\S\ 5(a)$ Separately classified allowed unsecured non-priority claims

None. If "None" is checked, the rest of § 5(a) need not be completed.

Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Document Page 4 of 6

Debtor	Luis Malpica	Case number	20-14340
§ 5	5(b) Timely filed unsecured non-priority claims		
	(1) Liquidation Test (check one box)		
	☐ All Debtor(s) property is claimed a	as exempt.	
		valued at \$_17,700.00 for purpo priority and unsecured general credit	ses of § 1325(a)(4) and plan provides for ors.
	(2) Funding: § 5(b) claims to be paid as follows	(check one box):	
	Pro rata		
	✓ 100%		
	Other (Describe)		
Part 6: Exec	cutory Contracts & Unexpired Leases		
₩	None. If "None" is checked, the rest of § 6 need	not be completed or reproduced.	
Part 7: Other	er Provisions		
§ 7	7(a) General Principles Applicable to The Plan		
(1)) Vesting of Property of the Estate (check one box)		
	✓ Upon confirmation		
	Upon discharge		
	2) Subject to Bankruptcy Rule 3012 and 11 U.S.C. §1322 y amounts listed in Parts 3, 4 or 5 of the Plan.	2(a)(4), the amount of a creditor's clai	m listed in its proof of claim controls over
	b) Post-petition contractual payments under § 1322(b)(5) fors by the debtor directly. All other disbursements to create the contract of the co		der § 1326(a)(1)(B), (C) shall be disbursed
completion of	e) If Debtor is successful in obtaining a recovery in perso of plan payments, any such recovery in excess of any ap assary to pay priority and general unsecured creditors, or a	pplicable exemption will be paid to the	Trustee as a special Plan payment to the
§ 7	7(b) Affirmative duties on holders of claims secured l	by a security interest in debtor's pr	incipal residence
(1)) Apply the payments received from the Trustee on the p	pre-petition arrearage, if any, only to	such arrearage.
	2) Apply the post-petition monthly mortgage payments me the underlying mortgage note.	nade by the Debtor to the post-petition	mortgage obligations as provided for by
	f) Treat the pre-petition arrearage as contractually curren nent charges or other default-related fees and services ba		

provides for payments of that claim directly to the creditor in the Plan, the holder of the claims shall resume sending customary monthly statements.

(4) If a secured creditor with a security interest in the Debtor's property sent regular statements to the Debtor pre-petition, and the Debtor

- (5) If a secured creditor with a security interest in the Debtor's property provided the Debtor with coupon books for payments prior to the filing of the petition, upon request, the creditor shall forward post-petition coupon book(s) to the Debtor after this case has been filed.
 - (6) Debtor waives any violation of stay claim arising from the sending of statements and coupon books as set forth above.

post-petition payments as provided by the terms of the mortgage and note.

Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Document Page 5 of 6

Debtor	Luis Malpica	Case number	20-14340				
	§ 7(c) Sale of Real Property						
	✓ None . If "None" is checked, the rest of § 7(c) need not be completed.						
	(1) Closing for the sale of (the "Real Property") shall be "Sale Deadline"). Unless otherwise agreed, each secured credite Plan at the closing ("Closing Date").	be completed within month tor will be paid the full amount of	as of the commencement of this bankruptcy their secured claims as reflected in § 4.b				
	(2) The Real Property will be marketed for sale in the following	ng manner and on the following te	rms:				
this Plan Plan, if,	(3) Confirmation of this Plan shall constitute an order authorized encumbrances, including all § 4(b) claims, as may be necessary a shall preclude the Debtor from seeking court approval of the sain the Debtor's judgment, such approval is necessary or in order cances to implement this Plan.	y to convey good and marketable ale pursuant to 11 U.S.C. §363, eit	title to the purchaser. However, nothing in her prior to or after confirmation of the				
	(4) At the Closing, it is estimated that the amount of no less th	an \$ shall be made payable	to the Trustee.				
	(5) Debtor shall provide the Trustee with a copy of the closing settlement sheet within 24 hours of the Closing Date.						
	(6) In the event that a sale of the Real Property has not been co	onsummated by the expiration of t	he Sale Deadline::				
Part 8:	Order of Distribution						
	The order of distribution of Plan payments will be as follow	ws:					
	Level 1: Trustee Commissions* Level 2: Domestic Support Obligations Level 3: Adequate Protection Payments Level 4: Debtor's attorney's fees Level 5: Priority claims, pro rata Level 6: Secured claims, pro rata Level 7: Specially classified unsecured claims Level 8: General unsecured claims Level 9: Untimely filed general unsecured non-priority claims	s to which debtor has not objected					
*Percen	tage fees payable to the standing trustee will be paid at the rate	e fixed by the United States Trust	ee not to exceed ten (10) percent.				
Part 9: 1	Nonstandard or Additional Plan Provisions						
	ankruptcy Rule 3015.1(e), Plan provisions set forth below in Padard or additional plan provisions placed elsewhere in the Plan		cable box in Part 1 of this Plan is checked.				
✓	None. If "None" is checked, the rest of Part 9 need not be comp	eleted.					
Part 10:	Signatures						
provisio	By signing below, attorney for Debtor(s) or unrepresented Del ns other than those in Part 9 of the Plan, and that the Debtor(s) a						
Date:	September 13, 2021	/s/ Joseph T. Bambrick J	lr.				
		Joseph T. Bambrick Jr. Attorney for Debtor(s)					
	If Debtor(s) are unrepresented, they must sign below.						

Case 20-14340-pmm Doc 48 Filed 09/13/21 Entered 09/13/21 12:26:24 Desc Main Document Page 6 of 6

Debtor	Luis Malpica	Case number 20-14340	
Date:	September 13, 2021	/s/ Luis Malpica	
		Luis Malpica	
		Debtor	
Date:			
		Joint Debtor	